



BKL 5/13/94 102-01002

Applicant or Patentee: Randall J. Huebner and Gene L. Conrad

Matter No. 102-01002 Serial or Patent No.: Filed or Issued:

For: HUMERAL NAIL FOR FIXATION OF PROXIMAL HUMERAL FRACTURES

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(c)) -- SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Acumed, Inc.

ADDRESS OF CONCERN 10950 S.W. 5th St. Suite 170 Beaverton, OR 97005

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled HUMERAL NAIL FOR FIXATION OF PROXIMAL HUMERAL FRACTURES by inventor(s) Randall J. Huebner and Gene L. Conrad described in:

☒ the application filed herewith.

☐ application serial no. _____, filed _____.

☐ patent no. _____, issued _____.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Randall J. Huebner

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 18560 S.W. Hart Road, Aloha, OR 97007

SIGNATURE Randall J Huebner

DATE 5-13-94

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled HUMERAL NAIL FOR FIXATION OF PROXIMAL HUMERAL FRACTURES, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a). If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses and claims subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 CFR § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

1 I hereby appoint attorney Bennet K. Langlotz (Reg. No. 35928) to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Address all correspondence and telephone calls to:

Bennet K. Langlotz
4678 S.W. Flower Place
Portland, OR 97221

telephone number (503) 244-2183

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00 Full name of first joint inventor: Randall J. Heubner
HUEBNER

Inventor's signature: Randall J Heubner

5-13-94
 Date

Residence: 18560 S.W. Hart Road, Aloha, Oregon 97007 OR
 Citizenship: USA
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2-00 Full name of second joint inventor: Gene L. Conrad

Inventor's signature: Gene L. Conrad

5/13/94
 Date

Residence: 3885 S.W. 196th Avenue, Aloha, Oregon 97007 OR
 Citizenship: USA
 Post Office address: same

(2)